

Message Text

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FM SECSTATE WASHDC

TO ALL DIPLOMATIC POSTS

USINT BAGHDAD BY POUCH

C O N F I D E N T I A L STATE 128162

FOLLOWING TEL SENT ACTION SECSTATE FROM USUN NEW YORK JUNE 02:

QUOTE C O N F I D E N T I A L USUN 1744

DEPT PASS ALL DIPLOMATIC POSTS

FROM LOS DEL

E.O. 11652: GDS

TAGS: PLOS

SUBJ: LOS CONFERENCE: CLASSIFIED SUPPLEMENT TO WEEKLY
REPORT - MAY 23-27

1) SUMMARY: DECISION BY COMMITTEE I CHAIRMAN ENGO
TO ENTRUST WORK TO MINISTER EVENSEN REACHED
ONLY AFTER ELABORATE EFFORTS BY KEY LEADERS. USSR
IS SEEKING TO ALIGN ITSELF MORE CLOSELY WITH GROUP
OF 77 IN COMMITTEE I, AND PUBLICLY EXPRESSED SYMPATHY
FOR GROUP OF 77 POSITION ON ARTICLE 9 (RESOURCE
POLICY), WHILE PRIVATELY TELLING US IT HAD TO SUPPORT
CUBA ON THE ISSUE (WHICH IS A LEADER OF THE ATTACK).
GROUP OF 5 AGREED ON HARD-LINE TACTICAL POSITION
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ON HIGH SEAS STATUS OF THE ECONOMIC ZONE. END SUMMARY.

2) COMMITTEE I: A. AFTER DELIVERING A LONG EXHORTA-
TION TO THE DELEGATES, COMMITTEE I CHAIRMAN ENGO (CAMEROON)
APPOINTED MINISTER EVENSEN (NORWAY) TO LEAD A "CHAIRMAN'S
WORKING GROUP OF THE WHOLE." THE SUBSTANTIVE DEBATE ON
COMMITTEE I HAS TAKEN PLACE IN THIS INFORMAL GROUP.

BY THIS FACE-SAVING DEVICE, THE LEADERSHIP OF THE CONFERENCE MANAGED TO PRESERVE A KEY ROLE FOR EVENSEN, WHOSE CHAIRMANSHIP IN THE RECENT GENEVA INTERSESSIONAL MEETING EARNED HIM WIDESPREAD SUPPORT AS A BALANCER OF NATIONAL INTERESTS.

B. THE SHARP DIFFERENCES THAT AROSE ON ARTICLE 9 BETWEEN A HANDFUL OF INDUSTRIAL COUNTRIES (MAINLY THE US, UK, FRANCE, JAPAN AND FRG) AND THE G-77 (BOLSTERED BY THE USSR AND CANADA) POSE A SERIOUS PROBLEM FOR THE COMMITTEE IN NEGOTIATIONS. ALTHOUGH EVENSEN WILL NOT ALLOW THE PUBLIC DEBATE TO LINGER INDEFINITELY ON THESE ISSUES, HE FACES A STIFF TEST TO PRODUCE AN ACCEPTABLE COMPROMISE TEXT. THE US, HAVING MADE WHAT IT REGARDS AS MAJOR CONCESSIONS TO ARRIVE AT THE CURRENT RSNT TEXT OF ARTICLE 9 LAST YEAR IS CONFRONTED WITH AN ESCALATION OF G-77 DEMANDS. THE G-77 TEXT OF ARTICLE 9 APPEARS TO ADD BROAD DISCRETIONARY POWERS TO THE AUTHORITY IN CONTROLLING SEABED MINING, EVEN AS WE HAVE TRIED TO CIRCUMSCRIBE THAT DISCRETION IN OTHER PARTS OF THE TREATY. ON PRODUCTION LIMITS, THE MAJORITY OF G-77 INSISTS ON THE AUTHORITY REPRESENTING ALL SEABED PRODUCTION, INCLUDING STATES AND STATE-SPONSORED MINING. THE FIRST WEEK OF THE CONFERENCE INDICATES THAT THE LAND-BASED PRODUCERS CONTINUE TO DOMINATE THE G-77 POSITION, WHICH STRESSES PROTECTION AT THE EXPENSE OF PRODUCTION. THUS, FAR, THE US HAD NOT GAINED MANY, IF ANY, NEW CONVERTS TO OUR VIEW THAT NICKEL AND COOPER PRODUCERS WILL NOT SUFFER ADVERSE EFFECTS FROM CONFIDENTIAL

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SEABED MINING, BECAUSE THE GROWTH IN THE MARKETS FOR THESE METALS WILL ACCOMMODATE BOTH SEABED PRODUCTION AND INCREASES IN LAND-BASED OUTPUT.

C. IN THE COURSE OF THE ARTICLE 9 DISCUSSION, THE SOVIET UNION REVEALED A MODIFIED POSTURE DESIGNED TO CURRY FAVOR WITH DEVELOPING COUNTRIES AT MINIMAL COST TO ITSELF. CITING IN PRIVATE THE PRESSURE TO SUPPORT SOCIALIST ALLY CUBA, THE SOVIETS INTERVENED IN THE WORKING GROUP TO PRAISE THE G-77 TEXT AS A "VERY REASONABLE" BASIS FOR DISCUSSION. THEY COULD BE PREPARED TO ACCEPT MORE STRINGENT PRODUCTION LIMITS THAN HERTOFORE, ESPECIALLY IF COUPLED WITH THEIR PROPOSED ANTI-MONOPOLY QUOTA PROVISION. THERE ARE ALSO INDICATIONS THAT THE SOVIETS MAY PROVE MORE CONCILIATORY TOWARD THE G-77 ON THE CRUCIAL ACCESS SYSTEM, IN WHICH THEY HAVE LONG INSISTED WITH US ON ASSURED ACCESS TO STATE-SPONSORED MINERS. THIS APPARENT SHIFT IN SOVIET POLICY MAY HAVE ARISEN FROM A DOWNGRADING OF SOVIET SEABED

MINING INTERESTS, IN VIEW OF THEIR LARGE LAND-BASED RESOURCES OF NODULE METALS - COPPER, NICKEL, COBALT AND MANGANESE. IN THEIR EVALUATION, THE POLITICAL BENEFITS FROM TAKING A MORE FORTHCOMING POSITION TOWARD THE G-77 AND FROM FURTHER ISOLATING THE US IN THE CONFERENCE COULD OUTWEIGH POTENTIAL ECONOMIC COSTS OF A LESS ASSURED ACCESS SYSTEM FOR STATE MINERS. MOREOVER, THE SOVIET MAY STILL BE SMARTING OVER THEY WAY THAT THE "UNILATERAL" (THEIR WORD) KISSINGER INITIATIVES IN THE LAST SESSION (FINANCING THE ENTERPISE AND REVIEW CONFERENCE) CAPTURED THE LIME-LIGHT FOR THE U.S. THEIR CURRENT EFFORTS ARE PROBABLY DESIGNED TO RECOUP PRESTIGE WITH THE 77.

3) COMMITTEE II: COMMITTEE II DOD NOT MEET FIRST WEEK OF CONFERENCE TO PERMIT CONCENTRATION ON FIRST COMMITTEE MATTERS ON HEAD OF DEL LEVEL. LL/GDS ORGANIZED CONFIDENTIAL

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EFFORT IN GENERAL COMMITTEE TO START WORK OF GROUP OF 21 (NEGOATING GROUP ON LL/GDS ISSUE) IMMEDIATELY. THIS TRUST WAS HEADED OFF IN PART ON THE GROUNDS OF ABSENCE OF CHAIRMAN AGUILAR AND AMB. NANDAN, OF FIJI, WHO HEADS CONTACT GROUP. GROUP OF 21 WILL PROBABLY COMMENCE WORK ON OR ABOUT JUNE 3. US DEL HAS USED TIME AVAILABLE TO COORDINATE TACTICS ON HIGH SEAS STATUS OF THE ECONOMIC ZONE WITH GROUP OF FIVE AND TO BEGIN CONTACTS WITH KEY DELS ON THIS ISSUE. GROUP OF FIVE AGREED ON TACTICAL POSITION THAT IS HARDER-LINE THAN AUSTRALIAN FORMULA. "MARGINEERS" (BROAD MARGIN STATES) HELD FIRST MEETING AT HEAD OF DEL LEVEL AND U.S. (RICHARDSON) USED OPPORTUNITY TO STRESS IMPORTANCE OF THE STATUS OF THE ECONOMIC ZONE ISSUE TO US.

4) COMMITTEE III: FEW COMMITTEE III EXPERTS HAVE ARRIVED IN NEW YORK. HOWEVER, THOSE EXPERTS PRESENT ARE INTERESTED IN BEGINNING INFORMAL WORK ON REMAINING MARINE POLLUTION ISSUES. U.S. WILL BE PUSHING WORK ON TERRITIRIAL SEA STANDARDS FOR VESSELS, FLAG STATE PRE-EMPTION, AND A FEW OTHER ISSUES. ON SCIENTIFIC RESEARCH, MOST DELEGATIONS WANT TO DELAY DECISION ON ARTICLE 60 OF PART III, THE BASIC REGIME ARTICLE, UNTIL MID-POINT OF CONFERENCE. ISSUE SEEMS TO BE PERCEIVED BY MANY DELEGATIONS AS ONE OF SMALL NUMBER OF REMAINING POLITICAL ISSUES IN PARTS II, III, AND IV. U.S. IN PRIVATE CONVERSATIONS, IS STRESSING IMPORTANCE OF THIS ISSUE AND NECESSITY OF CHANGING RSNT. US PLANS TO MEET WITH USSR THIS WEEK IN FURTHER ATTEMPT TO OBTAIN SOVIET SUPPORT FOR CHANGES

IN RNST.

5) DISPUTE SETTLEMENT (PART IV) - THE CONTACT
GROUP OF 77 ON THE SETTLEMENT OF DISPUTES HAS HELD
SEVERAL MEETINGS OVER THE LAST TWO WEEKS. IT AGREED
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THAT THERE SHOULD ONLY BE ONE TRIBUNAL, WITH A
SPECIAL CHAMBER FOR DEEP SEABEDS SHOULD BE
BINDING ON ALL PARTIES TO THE CONVENTION. THE TRIBUNAL
SHOULD HAVE NO JURISDICTION, HOWEVER, TO NULLIFY THE
DISCRETIONARY POWER OF THE AUTHORITY CONFERRED UPON
IT BY THE CONVENTION. YOUNG UNQUOTE CHRISTOPHER

NOTE BY OC/T: POUCHED BAGHDAD.

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CHAIRMAN ENGO
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